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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,769	09/20/2000	Christopher John Stokes	190-1463	8733

7590 08/26/2004

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EXAMINER

PATEL, JAGDISH

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/665,769

Applicant(s)

STOKES, CHRISTOPHER JOHN

Examiner

JAGDISH PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

DETAILED ACTION

1. This communication is in response to amendment filed 6/10/2004.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/10/04 has been entered.

Response to Amendment

3. Claims 1, 8 and 10 have been amended; claims 2 and 7 have been canceled. Claims 1, 3-6 and 8-10 are currently pending and have been examined in consideration of the amendment.

Response to Arguments

4. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

Statute Cited in Prior Action

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

6. Claims 1, 3-6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshino et al. (US Pat. 5,058,009) (hereafter referred to as Yoshioto) and further in view of “New Mortgage Plan Offered” (Real Estate Weekly, 47, 2, 29) August 9, 2000 (hereafter “Real Estate”).

Regarding claim 1, Yoshioto teaches a computer-implemented method for modeling loans, the method comprising:

(a) enabling a user to enter parameters relevant to a loan, the parameters including loan amount and loan term;

[refer to Fig. 1 col. 2, L 43 – 60 (1c) “PV” (1b) “i%” “number of payments “n”, refer to Fig. 3a and col. 3 L 52-68, Loan Amortization]

(c) computing repayments over due over the term of the loan based on the parameters;

(d) visually displaying information indicating the repayments due over the term of the loan.

[refer to Figure 2, showing details of computing repayments and displays in Fig. 3B – 3F which show information indicating the repayments due over the terms of the loan]

Yoshioto fails to teach “variable payment over different months of the year, according to twelve user specified factors” as per claim 1.

Real Estate in the same field of endeavor, discloses a method for modeling loans. In particular Real Estate teaches a loan program called Open Arm loan program which

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provides for variable payments over different months using twelve user-specified factors, one for each of the twelve months of the year (refer to page 1 second para. “Young professionals .. whose incomes fluctuate greatly month to month and commissioned salespeople who receive large bonuses are the people who can benefit greatly from this distinctive new loan program,..” and “borrowers can choose from four monthly payment plan options..”).

It is noted that different one of the four options indicated in Real Estate may be chosen for each month of the year. As an example, borrower may select the ‘minimum payment’ option for month(s) where projected cash flow is low and “any amount the buyer chooses” option for month(s) where projected cash flow is high. In other words any one of the four options is chosen within the terms and condition of the loan for any of the twelve months of the year).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Yoshioto in view of Real Estate as discussed above to have the user enabled to specify number options relevant to the loan, the options including variable repayment over different months of the year, according to twelve user-specified factors, one for each of the twelve month of the year. The motivation for this modification is that it would provide flexibility of monthly repayments to the borrower whose monthly incomes vary greatly on a monthly basis. Thus, it would allow the borrowers to select a monthly payment option consistent with their individual monthly income and expense.

7. Claim 3 inherent to any loan analysis scenario. In particular, as discussed in Weber reference, the “buyer” is presented with various options which causes a

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corresponding repayment due (amortization table) to be presented to the buyer and therefore it is obvious that the buyer would select (accept or reject). Yoshioto discloses a sequence of screens as discussed in claim 1 analysis that may be used by the user as appropriate.

8. Claim 4: ...step of enabling the user to select one of a number of interest rate options (this is indicated in Yoshioto by step A1, Fig. 2).

9. Claim 5: the information indicating repayments due over the term of the loan is displayed in a visual representation...(refer to Figures 3A-3F, which shows graphical display).

10. Claim 6: enabling the user to select one of the following options for display in each month over the terms of loan ...(refer to Figures 3A-3F, which shows graphical display in light of the section "calculation on Loan Amortization" as display functions described in col. 3-6).

11. Claim 8-10 corresponds to method claims 1-6, since the method is implemented on a computer as discussed in above paragraphs and references made of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (703)308-7837. The examiner can normally be reached on 800AM-600PM M-Th.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703)308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jagdish N. Patel 

(Primary Examiner, AU 3624)

8/19/04